

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SOURDOUGH & CO., INC.,

Plaintiff,

v.

WCSD, INC., et al.,

Defendant.

No. 2:20-cv-01226-TLN-CKD

WCSD, INC.,

Plaintiff,

v.

WESTCOASTSOURDOUGH.COM, et
al.,

Defendant.

No. 2:20-cv-01538-JAM-JDP

RELATED CASE ORDER

Plaintiff filed a Notice of Related Cases in each of the above-captioned actions on October 12, 2020. (ECF No. 22.) Examination of the above-captioned actions reveals they are related within the meaning of Local Rule 123 (E.D. Cal. 1997). Pursuant to Rule 123 of the Local Rules of the United States District Court for the Eastern District of California, two actions are related when they involve the same parties and are based on the same or similar claim(s); when they

1 involve the same transaction, property, or event; or when they “involve similar questions of fact
2 and the same question of law and their assignment to the same Judge . . . is likely to effect a
3 substantial savings of judicial effort.” L.R. 123(a). Further,

4 [i]f the Judge to whom the action with the lower or lowest number
5 has been assigned determines that assignment of the actions to a
6 single Judge is likely to effect a savings of judicial effort or other
economies, that Judge is authorized to enter an order reassigning all
higher numbered related actions to himself or herself.

7 L.R. 123(c).

8 Here, the actions involve similar parties and issues, primarily trademark and domain name
9 rights under the Lanham Act. The same trademarks are controverted in both actions.
10 Consequently, assignment to the same judge would “effect a substantial savings of judicial
11 effort.” L.R. 123(a), *see also* L.R. 123(c).

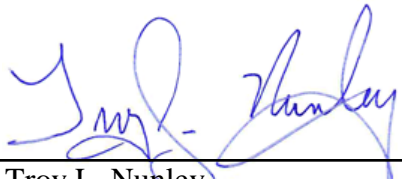
12 Relating the cases under Local Rule 123, however, merely has the result that both actions
13 are assigned to the same judge, it does not consolidate the actions. Under the regular practice of
14 this Court, related cases are generally assigned to the judge and magistrate judge to whom the
15 first filed action was assigned. Should either party wish to consolidate the actions, the
16 appropriate motion or stipulation must be filed.

17 IT IS THEREFORE ORDERED that the action denominated 2:20-cv-01538-JAM-JDP is
18 reassigned to District Judge Troy L. Nunley and Magistrate Judge Carolyn K. Delaney, and the
19 caption shall read 2:20-cv-01538-TLN-CKD. Any dates currently set in 2:20-cv-01538-JAM-
20 JDP are hereby VACATED, and the parties are ordered to refile any pending motions before this
21 Court. The Clerk of the Court is to issue the Initial Pretrial Scheduling Order.

22 IT IS SO ORDERED.

23 DATED: October 21, 2020

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Troy L. Nunley
United States District Judge